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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

19 NUTRISHARE, INC., a California corporation,

Case No. 2:08-cv-01252-WBS-EFB

20 || Plaintiff,

Complaint filed June 4, 2008

21 || v.

22 BIORX, LLC, an Ohio Limited Liability
Company.

**STIPULATION REGARDING
SUBMISSION OF NEW EVIDENCE IN
OPPOSITION TO MOTION FOR
PRELIMINARY INJUNCTION**

Defendant.

DATE: August 18, 2008
TIME: 2:00 p.m.
CRTRM: 5
JUDGE: Hon. William B. Shubb

1 Plaintiff Nutrishare, Inc. ("Plaintiff") and Defendant BioRx, LLC ("Defendant"), through
 2 their undersigned attorneys of record, hereby stipulate and agree that Defendant shall have leave to
 3 submit the Declaration of Douglas Eric Hill attaching new evidence in support of Defendant's
 4 Opposition to Plaintiff's Motion for Preliminary Injunction.

5 By this stipulation, Plaintiff only agrees to Defendant's filing of the aforementioned
 6 document, and does not stipulate to the matters asserted or contained therein, and does not waive
 7 any objections thereto that it may have under applicable Federal or Local Rules.

8 IT IS SO STIPULATED.

9
 10 Dated: August 8, 2008

DOWNEY BRAND LLP

11 By: _____ s/Michael J. Thomas
 12 MICHAEL J. THOMAS
 13 Attorneys for Plaintiff NUTRISHARE, INC.

14 Dated: August 8, 2008

ALLEN MATKINS LECK GAMBLE
 15 MALLORY & NATSIS LLP

16 By: _____ s/ Amy Wintersheimer Findley
 17 AMY WINTERSHEIMER FINDLEY
 18 Attorneys for Defendant BIORX, LLC

ORDER

IT IS SO ORDERED.

4 | Dated: August 8, 2008

WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE